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January 21, 2005

Paper 38 **22**

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

FAXED

JAN 21 2005

FLORIDA STATE UNIVERSITY
(Robert A. Holton, Zhuming Zhang and Paul A. Clarke)
Junior Party
(Application 09/063,477),

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

v.

PHARMACHEMIE B.V.
(Eric Wilhelmus Petrus Damen, Johan Wilhelm Scheeren and Dick de Vos)
Senior Party
(Patent 5,874,595).

Patent Interference No. 105,220 (RES)

FINAL JUDGMENT - Bd. R. 127(b)(3)

Pharmachemie B.V. has filed a concession of priority and requested entry of adverse judgment. Paper 36. Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 4), is awarded against the senior party, PHARMACHEMIE B.V.;

FURTHER ORDERED that senior party, PHARMACHEMIE B.V., is not entitled to a patent containing claims 1-18 (corresponding to Count 1) of U.S. Patent 5,874,595;

FURTHER ORDERED that a copy of this judgment be made of record in the file of U.S. Patent 5,874,595 and 09/063,477;

FURTHER ORDERED that if there is any settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 41.205.

RICHARD E. SCHAFFER
Administrative Patent Judge

RICHARD TORCZON
Administrative Patent Judge

~~JAMES T. MOORE~~
Administrative Patent Judge

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INTERFERENCE DIGEST

Interference No. 105,220

Paper No. 21

Name: Robert A. Holton

Serial No.: 09/063,477

Patent No.

Title: Process for selective derivatization of taxanes

Filed: 04/20/98

Interference with Damen et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, favorable Dated, 1-21-05

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.